GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:473
ANSWERED ON:08.05.2007
MALIMATH COMMITTEE ON CRIMINAL JUSTICE SYSTEM
Mane Smt. Nivedita;Singh Shri Kirti Vardhan

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has constituted Malimath Committee to suggest reforms on Criminal Justice System;

(b) if so, whether the Committee has submitted its report;

(c) if so, the salient features of the recommendations of the report; and

(d) the action taken by the Government to implement the recommendations made by the Committee?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO.473 FOR 8.5.2007 REGARDIN MALIMATH COMMITEE ON CRIMINAL JUSTICE SYSTEM :

(a) Yes. sir.

(b) Yes. SIR.

(C) The committee made 158 recommendation to ensuring that every innocent person is protected and every guilty is punished with utmost expedition. The main recommendations are, inter alia, on investigastion, prosecution, on judicial reforms, on crime punishment etc.

(d) Advisories were issued to the state governments with regard to those recommendations, which were to be implemented through administrative measures.

As regards, those recommendations which require amendments to various laws, views/comments of the State GOVERNMENT/ UT Administrations have been sought as the Criminal Procedure are on the Concurrent List of the Seventh Schedule to the constitution of India. The recommendations of the Mlimath Committee on anticipatory bail and plea bargaining have already been covered in the Code of Criminal procedure (Amendation) Act, 2005 and Criminal Law (Amendment) Act, 2005 respectively. However, the provision relating to anticipatory bail in the Code of Criminal Procedure (Amendment) Act, 2005 has not yet been given effect to.

The recommendations on enhanced punishment for perjury and victims right to prefer an appeal against an adverse order passed by the Court have been included in the Code of Criminal Procedure (AMENDMENT) Bll, 2006 introduced in the Rajya Sabha on 23.8.2006.